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In re Application of : **OFFICE OF PETITIONS**
Kazuo Kuroda et al :
Application No. 09/730,515 : NOTICE VACATING PATENT
Filed: December 15, 2000 : GRANT OF MAY 20, 2003
Attorney Docket No. 107156-00033 :

The purpose of this Notice is to advise you that the above-identified application was mistakenly indicated to have been granted as U.S. Patent No. 6,567,356, on May 20, 2003.

The record discloses the following:

- ◆ A Notice of Allowability and Notice of Allowance and Fee(s) Due were mailed on September 13, 2002. The Notice of Allowance required payment of the issue fee on or before December 13, 2002 to avoid abandonment of the application.
- ◆ The issue fee was not paid by the due date of December 13, 2002. Accordingly, on December 26, 2002, a petition to revive under the unintentional provisions of 37 CFR 1.137(b), along with a Request for Continued Examination (RCE) and an Information Disclosure Statement, was filed.
- ◆ The petition to revive was granted on January 14, 2003 and the file was forwarded to Technology Center 2600 for processing the RCE and for consideration of the Information Disclosure Statement.
- ◆ For reasons unknown, the file was thereafter forwarded from Technology Center 2600 to Publishing Division without appropriate action on the RCE and Information Disclosure Statement.
- ◆ On May 20, 2003, this application issued into Patent No. 6,567,356.

The filing of the RCE effectively withdrew the instant application from issue and also withdrew the Notices of September 13, 2002. Therefore, the issuance of a patent grant was improper since a second Notice of Allowability and Notice of Allowance and Fee(s) Due were not mailed following the filing of the RCE and

Information Disclosure Statement filed with the petition to revive, which petition, as noted above, was granted on January 14, 2003. In view thereof, the USPTO's publication (on May 20, 2003) of a document purporting to be a patent was in error.

Accordingly, the following erratum will be published in the Official Gazette:

All reference to Patent No. 6,567,356 to Kazuo Kuroda et al of Japan for OPTICAL DISC, AND READING SYSTEM AND MANUFACTURING METHOD OF THE DISC appearing in the Official Gazette of May 20, 2003 should be deleted since no patent was granted.

This application will be forwarded to Technology Center 2600 for appropriate action on the RCE and Information Disclosure Statement filed on December 26, 2002 (as well as for appropriate action on the "Preliminary Amendment under 37 C.F.R. § 1.121" acknowledged as having been received in the USPTO on January 23, 2003, as evidenced by an accompanying copy of a stamped postcard receipt).

Any questions concerning this matter may be directed to Petitions Examiner Frances Hicks at (703) 305-8680.



Charles Pearson
Director
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